

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE TRANSPARENCY PROJECT,	§	
	§	
Plaintiff,	§	CIVIL ACTION No. 4:20CV467
	§	
v.	§	
	§	
U.S. DEPARTMENT OF JUSTICE, et al.,	§	JUDGE SEAN D. JORDAN
	§	MAGISTRATE CHRISTINE NOWAK
Defendants.	§	

**NON-FBI DEFENDANTS’ UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE MOTION FOR SUMMARY JUDGMENT AND VAUGHN INDEX**

Defendants, the United States Department of Justice, the National Security Agency, the Central Intelligence Agency, the Office of the Director of National Intelligence, and United States Department of Justice (“Non-FBI Defendants”), file this motion for extension of time to file their motion for summary judgment and Vaughn Index. The non-FBI Defendants respectfully request an additional week, with a new deadline of February 22, 2022. Plaintiff is not opposed to Defendants’ request for extension.

I.

The non-FBI Defendants are currently preparing *Vaughn* indices and declarations in support of a motion for summary judgment. On November 16, 2021, the Court ordered the non-FBI Defendants to file their complete *Vaughn* indices and motion for summary judgment by February 15, 2022. [ECF 44]. Two of the defendant agencies have experienced minor delays in providing their respective declarations and *Vaughn* indices. Additionally, the undersigned is set for trial in *Joseph Zachary v. USA* (1:20CV261)

beginning Wednesday, February 9, 2022. This trial was recently reset to this date from a January 26th setting. Due to the minor delays in the agency declarations and *Vaughn* indices, coupled with an unexpected trial setting for the undersigned, the non-FBI Defendants request an extension of one week of the initial briefing deadline.

II.

The requested extension is not for purposes of delay but only to allow the undersigned to adequately complete the brief. Should the Court grant this motion, the parties request that the remaining briefing deadlines be extended by one week each, as follows:

February 22, 2022	Non-FBI Defendants' Deadline to Produce Vaughn Indices & MSJ
March 22, 2022	Plaintiff's Response
April 12, 2022	Non-FBI Defendants' Reply
May 3, 2022	Plaintiff's Sur-reply

III.

In light of the foregoing, the non-FBI Defendants request that this Court grant their motion for extension of time and permit an additional seven (7) days to submit their motion for summary judgment and *Vaughn* indices, while simultaneously extending the remaining briefing deadlines accordingly.

Respectfully submitted,

NICHOLAS J. GANJEI
ACTING UNITED STATES ATTORNEY

/s/ Andrea L. Parker

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CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2022, a true and correct copy of the foregoing document was filed electronically with the court and has been sent to counsel of record via the court's electronic filing system.

/s/ Andrea L. Parker
ANDREA L. PARKER
Assistant United States Attorney

CERTIFICATE OF CONFERENCE

In compliance with Local Rule CV-7(h), undersigned counsel hereby certifies that, I have conferred with plaintiff's counsel, and he does not oppose this motion.

/s/ Andrea L. Parker
ANDREA L. PARKER
Assistant United States Attorney